

OMNI BUSINESS PARK

7305 BURLESON ROAD
AUSTIN, TX 78744

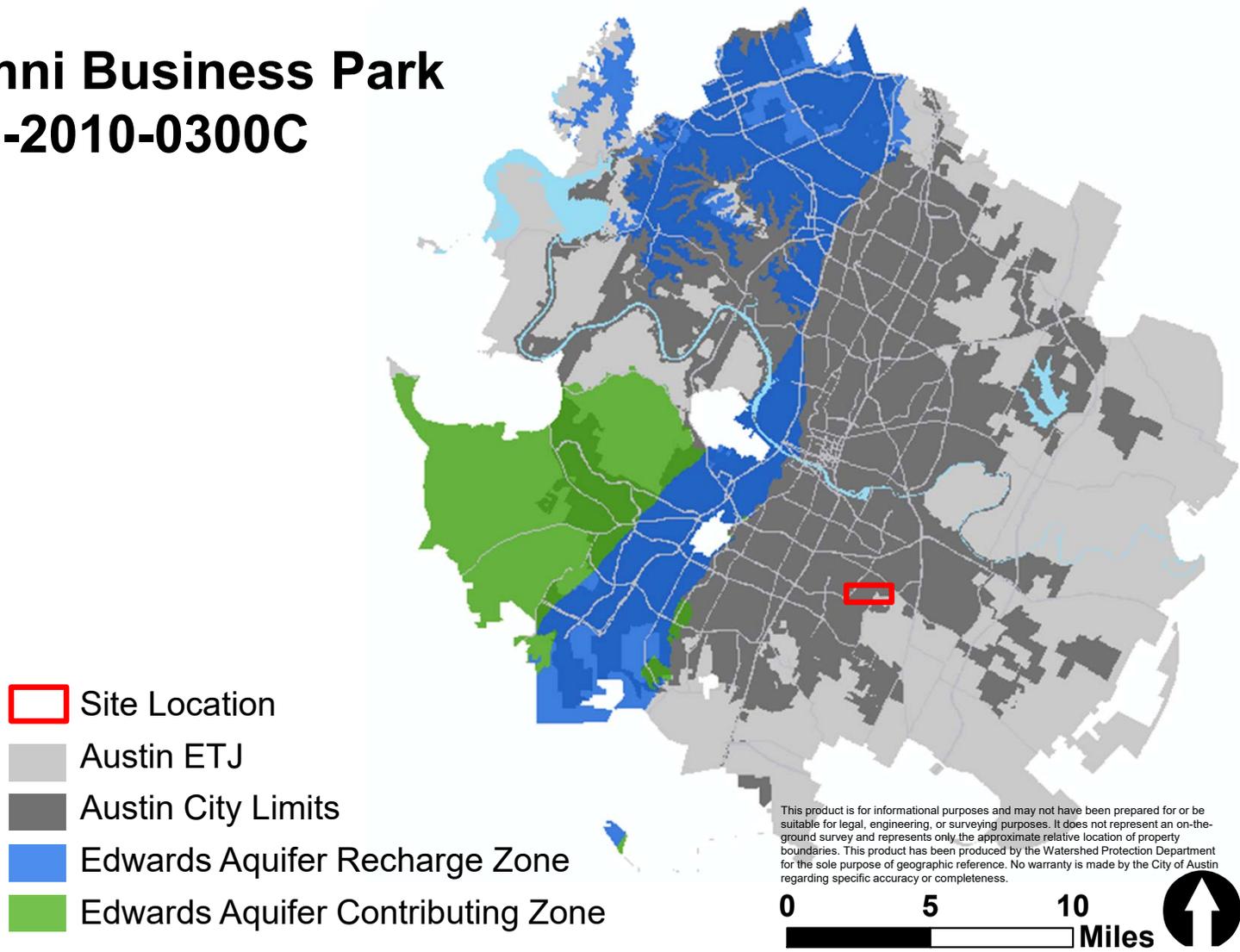
SP-2019-0300C

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Omni Business Park SP-2010-0300C

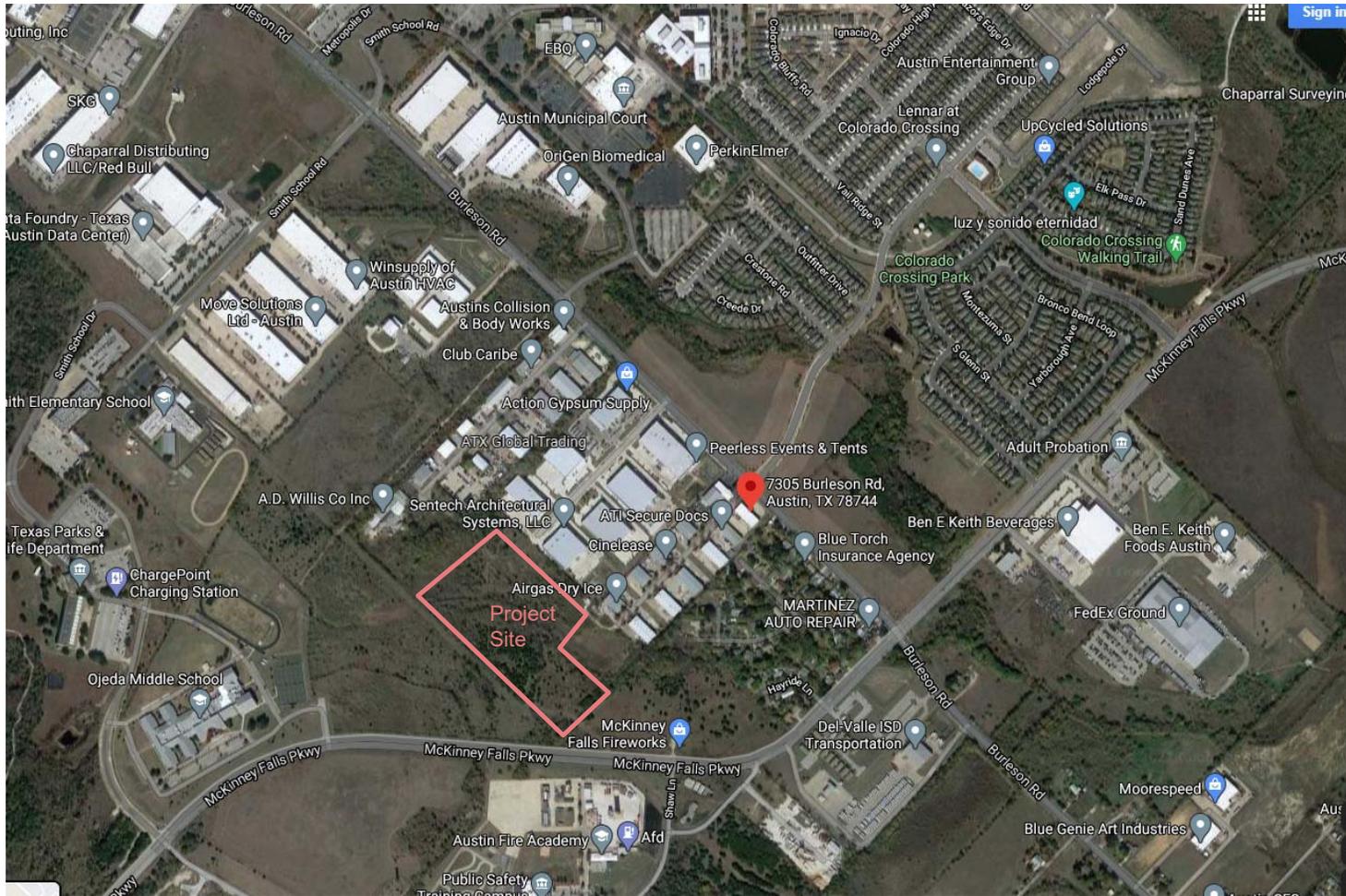


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PROPERTY DATA

- **Onion Creek, Suburban Classification**
- **Desired Development Zone**
- **Full Purpose Jurisdiction**
- **Not located over Edwards Aquifer Recharge Zone**
- **Council District 2**
- **Subject to 1993 Comprehensive Watershed Ordinance**

VICINITY MAP



VARIANCE REQUEST

1993 Comprehensive Watershed Ordinance

- **Section 13-7-16(a) – for a fill exceeding four feet**
- **Section 13-7-16(b) – for a cut exceeding four feet**

FINDINGS OF FACT

1993 COMPREHENSIVE WATERSHED ORDINANCE

- SECTION 13-7-16(A) – *FOR A FILL EXCEEDING
FOUR FEET*

- SECTION 13-7-16(B) – *FOR A CUT EXCEEDING
FOUR FEET*

FINDINGS OF FACT

'93 COMPREHENSIVE WATERSHED ORDINANCE

SECTION 13-2-505

- 1. The requirement will deprive the applicant of a privilege available to owners of similarly situated property with approximately contemporaneous development subject to similar code requirements.**

Staff Determination: Yes

The Omni Business Park commercial subdivision was approved in C8-93-0091.0A. Development, including drainage improvements, office buildings, and driveways have been constructed within this subdivision. As such, this project has certain vested rights to the 1993 Land Development Code, as approved by the Development Services Department, per the findings: “development within this subdivision has occurred under the rules and regulations based on the 1993 project... It is determined that the 1993 project has met progress and is an ongoing project.” With this context, without the variance, the applicant would be deprived of a privilege available to owners of similarly situated property with approximately contemporaneous development subject to similar code requirements. Current code allows for administrative variance approval of cut or fill up to 8’, but the code in effect at the time of vesting did not allow for such administrative approvals. This project would qualify for an administrative variance under current code as similar surrounding projects subject to current code have had variances to cut and fill requirements approved administratively (e.g, Burleson Industrial Park – SP-2014-0400C; 7005 Burleson Industrial – SP-2015-0353C; Burleson Warehouse – SP-2017-0356C).

FINDINGS OF FACT

'93 COMPREHENSIVE WATERSHED ORDINANCE

SECTION 13-2-505

2a. The variance is the minimum departure from the terms and other requirements of the Land Development Code necessary to avoid such deprivation of privileges enjoyed by other property owners and to facilitate a reasonable use.

Staff Determination: Yes

Development has occurred on this site, specifically drainage improvements. Areas of cut and fill exceeding four feet are to level the grading associated from previous development. Additionally, this property is zoned limited industrial and the project proposes construction of warehouses with truck loading docks. Grading exceeding four feet for this type of development with its existing conditions is required, similar to the surrounding commercial and industrial development (e.g, Burleson Industrial Park – SP-2014-0400C; 7005 Burleson Industrial – SP-2015-0353C; Burleson Warehouse – SP-2017-0356C) where grading greater than four feet have been permitted. Moreover, the proposed cut and fill will not exceed eight feet which, under current code, would have been administratively approved. Granting this variance would allow the property owner the privileges enjoyed by other property owners and facilitate a reasonable use of the property.

FINDINGS OF FACT

'93 COMPREHENSIVE WATERSHED ORDINANCE

SECTION 13-2-505

2b. The variance will not create significant probabilities of harmful environmental consequences.

Staff Determination: Yes

The fill limits of the site will not exceed eight feet and will be structurally contained with retaining walls. To further stabilize areas of fill exceeding four feet, a planting plan with robust plantings will be incorporated where feasible. In addition, areas of fill exceeding four feet are to address the previous construction activities occurred onsite. For these reasons, the variance request to exceed the four feet fill limit will not create significant probabilities of harmful environmental consequences.

The cut limits of the site will not exceed eight feet. Previous construction activities have occurred onsite, including multiple spoils piles. As a result, cut exceeding four feet is necessary to level out these areas. Also, cut is required for the proposed multiple riparian corridors and in-channel wetland. Additionally, for the water quality ponds, cut of a maximum of eight feet is essential to adequately treat the pollutant load of the development. Further, an enhanced landscape planting schedule with native and diverse vegetation and seeding are proposed for the pond berms, riparian corridors, and in-channel wetland. For these reasons, the variance request to exceed the four feet cut limit will not create significant probabilities of harmful environmental consequences.

FINDINGS OF FACT

'93 COMPREHENSIVE WATERSHED ORDINANCE

SECTION 13-2-505

2c. The variance is not a special or unique condition created as a result of the method by which a person voluntarily subdivides or develops the land.

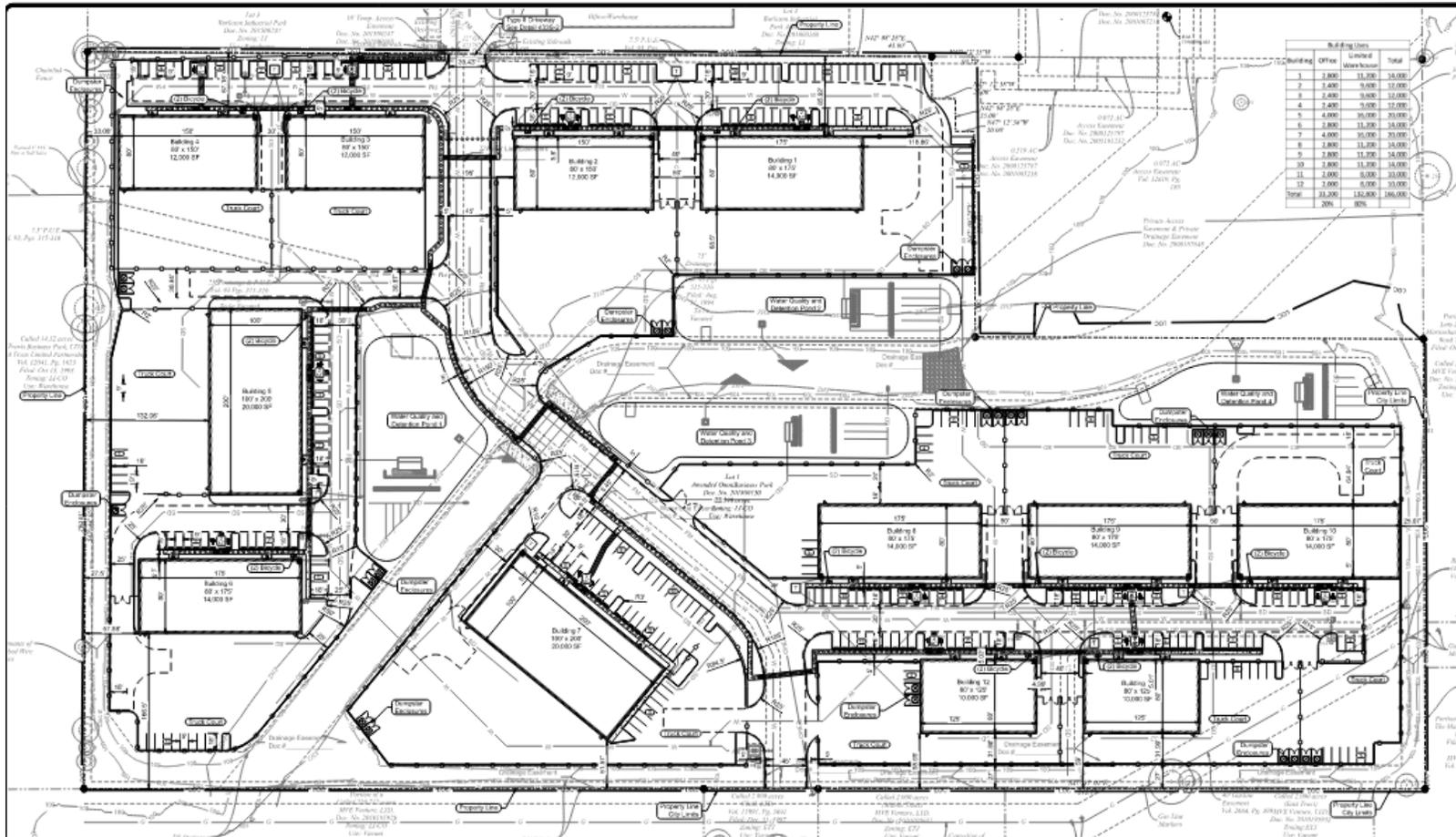
Staff Determination: Yes

The site is on Lot 1 of the Omni Business Park subdivision. The Omni Business Park subdivision comprises of approximately 38 acres, and is subdivided into 3 lots, with Lot 1 being the largest at 22.5 acres. The proposed project to develop warehouses with truck loading docks is a permitted use for the Limited Industrial zoning of the property, and grading over four feet is required to address manmade topographic changes from previous development that has occurred on site and to provide a consistent finished floor elevation. A variance to Section 13-7-16(a) for fill exceeding four feet and a variance to Section 13-7-16(b) for cut exceeding four feet is not necessitated due to the subdivision of the land nor the method to develop the land.

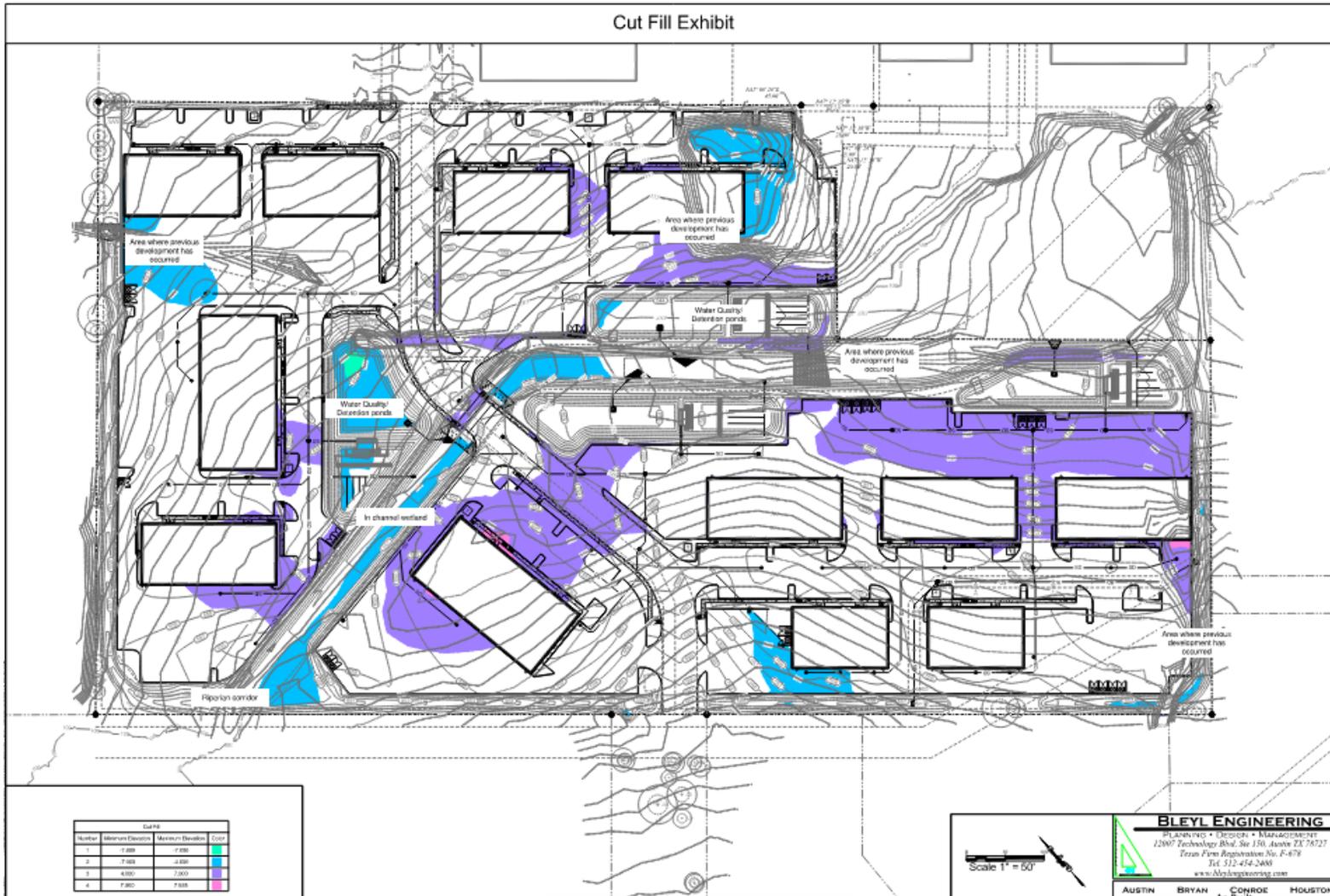
EXISTING CONDITIONS



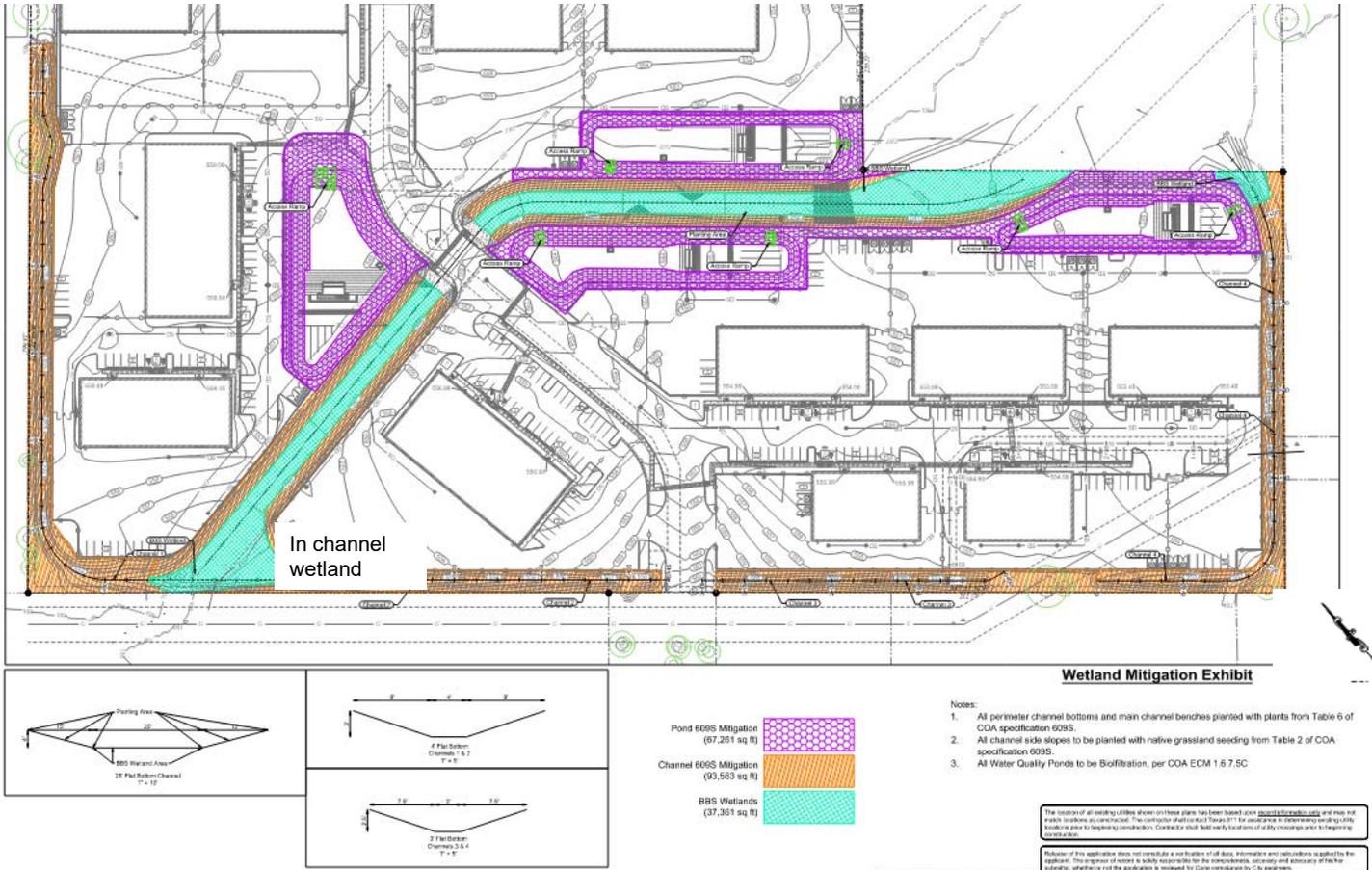
SITE PLAN



CUT FILL EXHIBIT



WETLANDS MITIGATION EXHIBIT



Corresponding planting plan on next slide

PLANTING PLAN

